

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

FILED  
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CA #:03 CV 12463 RGS  
DISTRICT COURT  
DISTRICT OF MASS.

GREAT NORTHERN INSURANCE CO.  
as subrogee of PHYLLIS MACNEIL  
1000 Pillsbury Center  
Minneapolis, MN 55402  
Plaintiff

v.

INTERCITY ALARMS, INC.  
20 North Main Street  
Yarmouth, MA 02664  
Defendant

**JOINT STATEMENT**

Pursuant to the Court's Notice of Scheduling Conference and Rule 16.1D of the Local Rules of the United States District Court for the District of Massachusetts, counsel for the above named parties hereby certify that they have conferred for the purpose of:

- (1) preparing an agenda of matters to be discussed at the scheduling conference;
- (2) preparing a proposed joint discovery plan and motion schedule;
- (3) considering whether to consent to trial by magistrate judge.

Undersigned counsel hereby state that they have prepared an agenda for the scheduling conference and have set forth below a joint discovery plan and motion schedule.

**SETTLEMENT PROPOSAL**

The undersigned counsel hereby certify that the plaintiff's counsel has provided a written settlement proposal to defense counsel.

JOINT DISCOVERY AND MOTION SCHEDULE

<u>Date</u>	<u>Activity</u>
February 16, 2004	All automatic disclosures made.
March 15, 2004	Written discovery to be filed and answers/responses are to be filed within the time provided by the rules.
March 30, 2004	The parties shall join other parties, if any.
August 30, 2004	Depositions to be completed, except Expert witnesses.
September 30, 2004	Plaintiffs' expert witnesses, if any, to be designated.
October 30, 2004	Defendants' expert witnesses, if any, to be designated.
November 30, 2004	Dispositive motions to be filed.
	Responses to motions to be filed in accordance with Court rules.

A final pre-trial conference will be held per order of the Court.

Other Issues

1. The plaintiff intends to take approximately five (5) depositions. The defendant intends to take approximately three (3) depositions.
2. The plaintiff will/will not consent to trial by Magistrate Judge. The defendant will/will not consent to trial by Magistrate Judge.
3. The parties will discuss whether this matter should proceed to private mediation prior to taking expert depositions.

Plaintiff  
By its attorney,

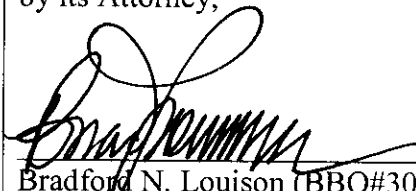
Defendant  
By its attorney,

The Plaintiff,  
by its Attorney,



Roy P. Giarrusso (BBO #549470)  
Giarrusso, Norton, Cooley & McGlone, P.C.,  
Marina Bay, 308 Victory Road  
Quincy, MA 02171  
(617) 770-2900

The Defendant,  
by its Attorney,



Bradford N. Louison (BBO#305755)  
Merrick, Louison & Costello, LLP  
67 Batterymarch Street  
Boston, MA 02110  
(617) 439-0305

**GIARRUSSO, NORTON, COOLEY & MCGLONE, P.C.**

COUNSELLORS AT LAW

MARINA BAY

308 VICTORY ROAD

QUINCY, MASSACHUSETTS 02171

TEL: (617) 770-2900

FAX: (617) 773-6934

FILED  
CLERKS OFFICE

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U.S. DISTRICT COURT  
DISTRICT OF MASS.

CHRISTINE KELLEY TRAMONTANA  
ctramontana@gncm.net

February 18, 2004

Clerk's Office  
United States District Court  
1 Courthouse Way  
Boston, MA 02210

Re: Great Northern Insurance Co. v. Intercity Alarms, Inc.  
U.S.D.C. Civil Action No.: 03-12463-RGS

Dear Sir or Madam:

In accordance with the Notice of Scheduling Conference, enclosed for filing please find the parties' Joint Statement.

Thank you for your attention to this matter.

Very truly yours,



Christine Kelley Tramontana

CKT/klb  
Enc.

cc: A. Richard Bailey, Esq.  
Bradford Louison, Esq.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

FILED  
CLERK'S OFFICE  
2004 FEB 20 A 11:53  
DISTRICT COURT  
DISTRICT OF MASS.

GARO-BOSTON COMMONWEALTH, LLC  
and GARY S. ROTHKOPF,

Plaintiffs,

vs.

TJ&W RESIDENTIAL, INC.,  
WILLIAM FOSTER, LINDA FOSTER and  
FOOTHILL CAPITAL CORPORATION,

Defendants.

CIVIL ACTION NO. 02-10538-RGS

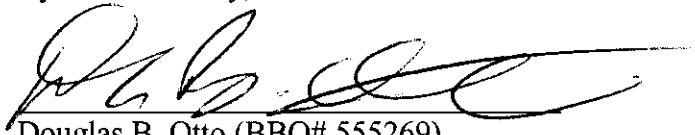
**NOTICE OF WITHDRAWAL**

TO THE CLERK OF THE ABOVE-NAMED COURT:

Pursuant to L.R. 83.5.2(c), Douglas B. Otto, of Morrison, Mahoney & Miller, LLP, hereby moves to withdraw the appearance of co-counsel, Lisa Davis George from the above-captioned action. Douglas B. Otto will continue to represent the Plaintiffs, Garo-Boston Commonwealth, LLC and Gary S. Rothkopf, in the above-captioned matter. Lisa Davis George is no longer with Morrison, Mahoney & Miller, LLP.

**GARO-BOSTON COMMONWEALTH, LLC  
and GARY S. ROTHKOPF,**

By their Attorney,



Douglas B. Otto (BBO# 555269)  
**MORRISON, MAHONEY & MILLER, LLP**  
250 Summer Street  
Boston, MA 02210  
(617) 737-8873

Dated: 2/18/04

MORRISON, MAHONEY & MILLER, LLP

COUNSELLORS AT LAW

250 SUMMER STREET  
BOSTON, MASSACHUSETTS 02210-1181  
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February 18, 2004

Clerk of the Court  
United States District Court  
District of Massachusetts  
One Courthouse Way – Rm 2300  
Boston, MA 02210

**Re: Garo-Boston Commonwealth, LLC, et al. v. TJ&W Residential, Inc., et al.,**  
**Civil Action No: 02-10538-RGS**  
**Our File Number: 10008607**

Dear Sir/Madam:

Enclosed for docketing and filing in connection with the above-named matter, please find Notice of Withdrawal.

Thank you for your kind assistance in this regard.

Very truly yours,



Douglas B. Otto

DBO:djm  
Enclosure  
cc: Michael R. Gottfried, Esquire  
Gary S. Rothkopf